## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Jessica Vaile,	) No. CV 11-674-PHX-SMM (LOA)
Plaintiff,	
vs.	MEMORANDUM OF DECISION AND ORDER
National Credit Works, Inc.,	
Defendant.	
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Pending before the Court is Plaintiff's Complaint alleging a violation of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §§ 1692 et seq. (Doc. 1.) This matter was assigned and litigated before Magistrate Judge Lawrence O. Anderson. (Doc. 6.) On March 26, 2012, Magistrate Judge Anderson filed a Report and Recommendation with this Court. (Doc. 26.) To date, no objections have been filed.

## STANDARD OF REVIEW

When reviewing a Magistrate Judge's Report and Recommendation, this Court must "make a de novo determination of those portions of the report . . . to which objection is made," and "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C); see also Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991) (citing Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983)). Failure to object to a Magistrate Judge's recommendation relieves the Court of conducting de novo review of the Magistrate Judge's factual findings; the Court then may decide the dispositive motion on the applicable law.

1	Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979) (citing Campbell v. United States
2	<u>Dist. Court</u> , 501 F.2d 196 (9th Cir. 1974)).
3	By failing to object to a Report and Recommendation, a party waives its right to
4	challenge the Magistrate Judge's factual findings, but not necessarily the Magistrate Judge's
5	legal conclusions. <u>Baxter</u> , 923 F.2d at 1394; see also <u>Turner v. Duncan</u> , 158 F.3d 449, 455
6	(9th Cir. 1998) (failure to object to a Magistrate Judge's legal conclusion "is a factor to be
7	weighed in considering the propriety of finding waiver of an issue on appeal"); Martinez v
8	<u>Ylst</u> , 951 F.2d 1153, 1156 (9th Cir. 1991) (citing <u>McCall v. Andrus</u> , 628 F.2d 1185, 1187
9	(9th Cir. 1980)).
10	DISCUSSION
11	Having reviewed the legal conclusions of the Report and Recommendation of the
12	Magistrate Judge, and no objections having been made by Defendants thereto, the Cour
13	hereby incorporates and adopts the Magistrate Judge's Report and Recommendation.
14	CONCLUSION
15	For the reasons set forth,
16	IT IS HEREBY ORDERED approving, incorporating, and adopting the Report and
17	Recommendation of Magistrate Judge Lawrence O. Anderson. (Doc. 26.)
18	IT IS FURTHER ORDERED that Plaintiff's Motion for Default Judgment against
19	Defendant National Credit Works, Inc. is <b>GRANTED</b> . (Doc. 21.)
20	IT IS FURTHER ORDERED that the Clerk shall enter Judgment in favor of
21	Plaintiff Jessica Vaile and against Defendant National Credit Works, Inc. in the amount of
22	\$7,635 (\$1,000 + \$6,635  for attorney's fees, costs and non-taxable expenses). The Judgment
23	shall earn interest at the annual federal rate from the date of entry of this Judgment until paid
24	in full.
25	DATED this 30th day of April, 2012.
26	Stylus n. monace
27	Stephen M. McNamee
28	Senior United States District Judge